

HARRY F. COLE*
ANNE GOODWIN CRUMP
VINCENT J. CURTIS, JR.
PAUL J. FELDMAN
FRANK R. JAZZO
EUGENE M. LAWSON, JR.
MITCHELL LAZARUS
SUSAN A. MARSHALL
HARRY C. MARTIN
LEE G. PETRO*
RAYMOND J. QUIANZON
LEONARD R. RAISH
JAMES P. RILEY
ALISON J. SHAPIRO
KATHLEEN VICTORY
JENNIFER DINE WAGNER*
LILIANA E. WARD
HOWARD M. WEISS

* NOT ADMITTED IN VIRGINIA

FLETCHER, HEALD & HILDRETH, P.L.C.

ATTORNEYS AT LAW

11th FLOOR, 1300 NORTH 17th STREET

ARLINGTON, VIRGINIA 22209-3801

OFFICE: (703) 812-0400

FAX: (703) 812-0486

www.fhhlaw.com

RETIRED MEMBERS

RICHARD HILDRETH
GEORGE PETRUTSAS

CONSULTANT FOR INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS
SHELDON J. KRYS
U. S. AMBASSADOR (ret.)

OF COUNSEL
EDWARD A. CAINE*
DONALD J. EVANS
EDWARD S. O'NEILL*

WRITER'S DIRECT

(703) 812-0453

petro@fhhlaw.com

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July 29, 2002

JUL 29 2002

By Hand Delivery

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, N.W.
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

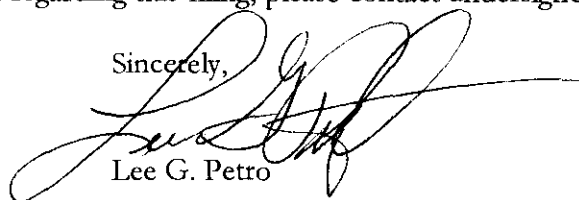
RE: JOINT COMMENTS IN SUPPORT OF PETITION FOR RULEMAKING
Amendment of Section 73.622(b), Digital Television Table of Allotments
MB Docket No 02-130, RM-10438 - Des Moines, Iowa

Dear Ms. Dortch:

Transmitted herewith is an original and four copies of an "JOINT COMMENTS," filed on behalf of Frank Duross, Kaleidoscope Partners, Caroline K. Powley, JJJH, LLP, Stead Communications and ValueVision International, Inc., applicants for a new television construction permit at Des Moines, Iowa.

Should there be any questions regarding this filing, please contact undersigned counsel.

Sincerely,



Lee G. Petro

Counsel to Caroline K. Powley

Enclosures

cc (w/enc): Arthur Belendiuk, Esquire
Marvin J. Diamond, Esquire
William R. Richardson, Jr., Esquire
John Shoreman, Esquire
Stephen C. Simpson, Esquire

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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of: }

Amendment of Section 73.606(b), }
Table of Allotments, }
Television Broadcast Stations; and }
Section 73.622(b), Table of Allotments, }
Digital Broadcast Television Stations. }
(Des Moines, Iowa) }

MB Docket No. 02-130
RM-10438

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JUL 29 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

TO: CHIEF, VIDEO DIVISION

JOINT COMMENTS

Frank Duross, Kaleidoscope Partners, Caroline K. Powley, JJH, LLP, Stead Communications, and ValueVision International, Inc. (collectively, the "Joint Petitioners"), by and through their counsel, hereby submit the instant JOINT COMMENTS in support of the Notice of Proposed Rulemaking, DA 02-1280, released on June 5, 2002 in the above-referenced proceeding. (the "NPRM").

The NPRM proposes the amendment of the Digital Television Table of Allotments, 47 C.F.R. § 73.622(b) (2001) ("DTV Table"), to allot DTV Channel 56 at Des Moines, Iowa. Originally, each of the Joint Petitioners had filed applications for a new television facility on vacant NTSC television allotment Channel 69 at Des Moines, Iowa. However, pursuant to a public notice released on February 6, 2002, the Joint Petitioners filed its Petition for Rulemaking on March 8, 2002 to propose the amendment of the DTV Table to allot DTV Channel 56 at Des Moines.¹

¹ *Mass Media Bureau Announces Window Filings Opportunity for Certain Pending Requests for New NTSC Television Stations on Channels 52-59*, DA 01-270 (rel. Feb. 6, 2002). The Joint Petitioners had filed a Petition for Rulemaking on July 17, 2000 to specify NTSC Channel 56 at Des Moines, pursuant to the Commission direction to all applicants for NTSC channels 60-69 to specify a new NTSC channel below Channel 60. *Mass Media Bureau Announces Window Filing Opportunity For Certain*

In light of the issuance of the NPRM in the instant proceeding, the Joint Petitioners are submitting these Joint Comments in support of the NPRM, and hereby incorporate by reference the showing contained in their Petition for Rulemaking.

Further, the Joint Petitioners state that it is their present intention for Caroline K. Powley, or another member of the Joint Petitioners, to apply for DTV Channel 56 if it is granted, and, if authorized, to build a station promptly.

Finally, the Joint Petitioners submit that the facilities specified in the Petition for Rulemaking complies with all DTV channel spacing requirements, will provide Des Moines with the required principal community contour, and will not violate the Commission's 2 percent criterion for *de minimis* impact on other DTV allotments.

The grant of the Petition for Rulemaking, and the resulting introduction of a new digital television service at Des Moines, Iowa will serve the public interest, and the Joint Petitioners respectfully request that the Commission allot Digital Television Channel 56 to Des Moines, Iowa.

Respectfully submitted,

CAROLINE K. POWLEY

By: 

Vincent J. Curtis, Jr.

Lee G. Petro

Fletcher, Heald & Hildreth, P.L.C.

1300 North 17th Street- Eleventh Floor

Arlington, Virginia 22209

703 812-0400

Her Attorneys

Pending Applications And Allotment Petitions For New Analog TV Stations, 14 FCC Rcd 19559 (1999), as extended by Window Filing Opportunity for Certain Pending Applications and Allotment Petitions for New Analog TV Stations Extended to July 15, 2000, 15 FCC Rcd 4974 (2000). Subsequent to the issuance of the February 6, 2002 Public Notice, however, the Petition for Rulemaking was filed to specify DTV Channel 56 at Des Moines, Iowa.

KALEIDOSCOPE PARTNERS

By: 

Stephen C. Simpson
Law Office of Stephen C. Simpson
1090 Vermont Avenue, NW Suite 800
Washington, D.C. 20005
202 408-7035

Its Attorney

FRANK DUROSS

By: 

Arthur Belendiuk
Smithwick & Belendiuk, P.C.
5028 Wisconsin Avenue, NW - Suite 301
Washington, D.C. 20016
202 363-4050

His Attorney

JJJH, LLC

By: 

Marvin J. Diamond
Hogan & Hartson, LLP
555 13th Street, NW
Washington, D.C. 20004
202 637-6523

Its Attorney

STEAD COMMUNICATIONS

By: 

John M. Shoreman
McFadden & Shoreman, P.C.
1900 L Street, N.W.
Suite 502
Washington, D.C. 20003

Its Attorney

VALUEVISION INTERNATIONAL, INC.

By: 

William R. Richardson, Jr.
Wilmer, Cutler & Pickering
2445 M Street, NW
Washington, D.C. 20037
202 663-6038

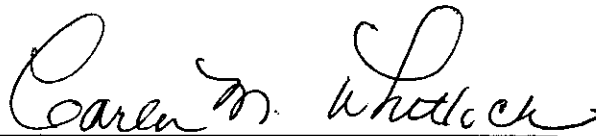
Its Attorney

July 29, 2002

CERTIFICATE OF SERVICE

I, Carla Whitlock, a secretary in the law firm of Fletcher, Heald & Hildreth, do hereby certify that a true copy of the *JOINT COMMENTS* was sent this 29th day of July, 2002, by hand to the following:

Ms. Pam Blumenthal
Federal Communications Commission
The Portals
445 12th Street, SW
Washington, D.C. 20554

A handwritten signature in cursive script, reading "Carla M. Whitlock", written over a horizontal line.

Carla Whitlock